

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DARNELL J. NELSON,

Plaintiff,

v.

JOHN W. SNOW, Secretary of the Treasury,

Defendant.

Case No. C04-0349L

ORDER DENYING MOTION  
FOR RECONSIDERATION

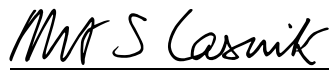
This matter comes before the Court on plaintiff's motion for reconsideration of the Court's order denying his motion to compel defendant to make initial disclosures. The Court denied the motion as premature because the parties had not met and conferred as required.

Plaintiff references his letter of September 7, 2005 as an attempt to meet the requirements of Local Rule 37. The Court, however, explicitly considered that letter in its order, so it is not a new fact. Nor has plaintiff shown manifest error in the Court's finding that plaintiff's efforts did not satisfy the requirements of Local Rule 37. Plaintiff also argues that after the Court issued its order on his motion to compel, but before he was aware of the ruling, he filed a "rebuttal" to

1 defendant's response.<sup>1</sup> Plaintiff's untimely reply does not justify reconsideration of the Court's  
2 order.

3 For the foregoing reasons, the Court DENIES plaintiff's motion for reconsideration.  
4 (Dkt. #71).

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6 DATED this 29th day of November, 2005.  
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10 Robert S. Lasnik  
11 United States District Judge  
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25 <sup>1</sup> Plaintiff's rebuttal is dated November 9, 2005, more than three weeks after the October  
26 14 noting date of the motion and more than two weeks after the Court's order denying that  
27 motion was posted.